

RUBY DEE FONTANEZ

July 12, 2006

Federal Trade Commission

Office of the Secretary, Room H-135 (Annex W)
Re: Business Opportunity Rule, R511993
600 Pennsylvania Avenue, NW
Washington, DC 20580

RE: Business Opportunity Rule, R511993

I refer you to the proposed Business Opportunity Rule R511993. I understand that this Rule as presented, will be unfair to my business as a distributor of VIBE from Eniva Corporation. Some of the sections as proposed will make it quite difficult to distribute this product.

Regarding the seven day waiting period for new distributors, this will be quite burdensome. Our distributor kits are inexpensive compared to other products that people buy daily without having any waiting period. Our kits sell for \$99.90. What about the people who buy more expensive products, such as cars, electronic devices, etc. and do not have to wait seven days. Why need a waiting period when Eniva Corporation already has a buyback guarantee for its product for any purchaser including distributors? If the person is unsatisfied with his/her purchase, Eniva provides for a buyback. A waiting period gives the impression of wrongdoing before even buying; not a very good impression to start a business relationship. Also, a waiting period would require for me to add to my business costs since I would have to keep detailed records of each person with whom I speak with about the product and keep track of the waiting period for each individual.

In regards to disclosure of information regarding lawsuits due to misrepresentation, or unfair or deceptive practices, it is very unfair to have to disclose information regarding **all lawsuits**, even though the company finally proves to be innocent. Lawsuits where the company is found guilty remain in the public records, therefore they are **already disclosed**. Today, anyone or any company can be sued for almost anything. It does not make sense to me that I would have to disclose these lawsuits unless Eniva Corporation is found guilty. Otherwise, Eniva and I are put at an unfair disadvantage even though it has done nothing wrong.

The proposed rule also requires for the disclosure of ten previous purchasers nearest the prospective purchaser. What happened to PRIVACY? How am I

going to explain to my clients that I need to disclose there purchase to a perfect stranger? This undoubtedly opens the door to a possible identity theft, which I am quite sure the FTC wishes to avoid. I also think the following sentence required by the proposed rule will prevent many people from wanting to sign up as a salesperson: "If you buy a business opportunity from the seller, your contact information can be disclosed in the future to other buyers." People are very concerned about their privacy and identity theft. They will be reluctant to share their personal information with individuals they may have never met.

I have been a distributor for quite some time. Originally, I became a distributor for Eniva products because I like them and wanted to earn some additional money. Now my family depends on this extra income to supplement our budget.

I appreciate the work of the FTC to protect consumers, but I believe this proposed new rule has many unintended negative and unfair consequences, which go against the intentions of the FTC to protect. Also, there are less burdensome alternatives available in achieving its goals. I think this Business Opportunity Rule, as proposed, will achieve the exact opposite in protecting consumers.

Sincerely,

RUBY DEE FONTANEZ